

### **REMARKS/ARGUMENTS**

The present application currently includes pending Claims 1-18 under consideration. Applicant appreciates the indication that Claim 3 is allowable, and that Claims 6-11 and 15-18, would be allowable if rewritten to overcome minor informalities. In this regard, the Official Action objects to Claims 1, 6, 12 and 15 as including the phrase "the received beam" without proper antecedent basis. In addition, the Official Action rejects Claims 1, 2, 4 and 5 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,243,168 to Helfinger et al.

In response, Applicant has amended independent Claims 6, 12 and 15 (and reflected the same in the amendment to Claim 3) to recite "the target beam" instead of "the received beam," as suggested by the Examiner in the first Official Action. Applicant therefore respectfully submits that the objection to Claims 6, 12 and 15 is overcome. Accordingly, Applicant also respectfully submits that Claims 6-11 and 15-18 are in condition for immediate allowance.

Also, in order to advance the present application to issuance in the most expeditious fashion, Applicant has rewritten allowable Claim 3 into independent form, including all the recitations of independent Claim 1, and amended the dependencies of Claims 2, 4 and 5. In addition, Applicant has amended independent Claim 3 to correct an inadvertent typographical error with respect to the recited polarizing beam splitter reflecting the reflected beam to the beam splitter, as opposed to the detector as previously recited. Applicant therefore respectfully submits that allowable Claim 3, and now by dependency Claims 2, 4 and 5, is also in condition for immediate allowance. Accordingly, Applicant has cancelled independent Claim 1 without prejudice to subsequent presentation in a continuation application.

Applicant notes that the amendments to dependent Claims 3, 6, 12 and 15 constitute non-narrowing amendments because the amendment to Claims 6, 21 and 15 merely corrects an inadvertent typographical error, and the amendment to dependent Claim 3 merely adds the recitations of the independent claim (Claim 1) from which Claim 3 depended.

In addition to the foregoing amendments, Applicant has amended independent Claim 12 to include recitations similar to those of dependent Claim 3, albeit recited as steps of a method. And based on this amendment, Applicant has also amended dependent Claim 13 consistent with amended independent Claim 12. As independent Claim 12 otherwise included recitations similar

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to those of independent Claim 1, Applicant respectfully submits that amended independent Claim 12, and by dependency Claims 13 and 14, is allowable for at least the same reasons as dependent Claim 3.

For at least the foregoing reasons, Applicant respectfully submits that all of the pending claims, namely Claims 2-18, are allowable, and that the rejection of Claims 1, 2, 4 and 5 as being anticipated by Helfinger is moot or otherwise overcome.

**CONCLUSION**

In view of the amended and cancelled claims, and the remarks presented above, Applicant respectfully submits that all of the claims of the present application are in condition for allowance. It is respectfully requested that a Notice of Allowance be issued in due course. The Examiner is encouraged to contact Applicant's undersigned attorney to resolve any remaining issues in order to expedite examination of the present application.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,



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